

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA,

vs.

(1) TREVEL BREWSTER and (2) TIMMY
HUNT,

Defendants.

Case No. 20-CR-10119-DJC

**JOINT INTERIM STATUS REPORT AND
REQUEST TO CANCEL HEARING**

Pursuant to Local Rule 116.5(b), the parties hereby file the following joint initial status report prepared in connection with the interim status conference scheduled for November 3, 2020.

(1) Automatic Discovery/Pending Discovery Requests

The Government provided 1641 pages of automatic discovery, including several discs of audio and video recordings, on July 27, 2020.

(2) Additional Discovery

The Government anticipates producing a copy of Mr. Hunt's phone extraction within the next week. The Government anticipates producing a copy of Mr. Brewster's phone extraction when it is available.

(3) Timing of Additional Discovery Requests

With its July 27 production, the Government requested reciprocal discovery from the defendants; no such discovery has been produced at this time. There are no other discovery requests pending. Mr. Hunt was appointed new counsel one month ago, and there was a delay in the transfer of discovery from prior counsel to new counsel; accordingly, he requires more time to assess whether additional discovery is necessary.

(4) Protective Orders

The parties negotiated a Stipulated Discovery Protective Order, which was endorsed and entered by the Court on August 3, 2020 (Dkt No. 35).

(5) Pretrial Motions

Mr. Brewster does not intend to file any pretrial motions under Fed. R. Crim. P. 12(b).

Because his counsel is still in the process of reviewing discovery, Mr. Hunt has not yet determined whether he will file any pretrial motions under Fed. R. Crim. P. 12(b).

(6) Expert Discovery

The Government agrees to provide any expert witness disclosures 21 days prior to trial. The defendants agree to provide any expert witness disclosures 14 days prior to trial.

(7) Defenses of Insanity, Public Authority, or Alibi

Mr. Brewster does not presently intend to raise the defenses of insanity, public authority, or alibi, but reserves on the issue of alibi until discovery is complete. Mr. Hunt's counsel has not yet made this determination.

(8) Speedy Trial Act

All of the time has been excluded from the first defendant's arraignment on June 24, 2020, through the date of the interim status conference scheduled for November 3, 2020. The parties request that the time be excluded until the next status conference.

(9) Plea Discussions

The parties have not yet engaged in any plea discussions. The government anticipates that a trial would last approximately five days, though possibly longer given COVID-related delays.

(10) Next Status Conference

The defendants request a further interim conference in approximately 45 days (but not between December 16 and December 28, due to counsel unavailability), to allow time to review discovery, and to determine whether to file any pretrial motions. The parties request that the interim status conference, scheduled for November 3, 2020, be canceled.

Respectfully submitted,

<p>TREVEL BREWSTER</p> <p>By his attorney,</p> <p><u>/s/ Thomas Kerner</u> J. Thomas Kerner (BBO # 552373) 240 Commercial St, Suite 5A Boston, Massachusetts 02109 thomas.kerner@comcast.net 617.720.5509</p> <p>TIMMY HUNT</p> <p>By his attorney,</p> <p><u>/s/ Joshua N. Ruby</u> George W. Vien (BBO # 547411) Joshua N. Ruby (BBO # 679113) Donnelly, Conroy & Gelhaar, LLP 260 Franklin Street Suite 1600 Boston, MA 02110 gwv@dcglaw.com jnr@dcglaw.com 617.720.2880</p>	<p>UNITED STATES OF AMERICA,</p> <p>By its attorney,</p> <p>ANDREW E. LELLING United States Attorney</p> <p><u>/s/ Elianna J. Nuzum</u> Elianna J. Nuzum Assistant United States Attorney John Joseph Moakley U.S. Courthouse One Courthouse Way, Suite 9200 Boston, MA 02210 elianna.nuzum@usdoj.gov 617.748.3100</p>
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CERTIFICATE OF SERVICE

Undersigned counsel certifies that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants.

/s/ Elianna J. Nuzum
Elianna J. Nuzum
Assistant United States Attorney

Dated: October 30, 2020